

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
QUINT ANTHONY, LPN	:	
License # 26NP 04935900	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Quint Anthony ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about May 22, 2015, a Demand for Statement in Writing Under Oath (Demand) issued on behalf of the Board, asking Respondent to supply information about his current employment, about a recent arrest on charges of assault, about a course in anger management he was asked to complete, and for

documentation of completion of required nursing continuing education since June 1, 2012, in the form of certificates of completion. Respondent was asked to provide a response within fifteen (15) business days.

3. Respondent replied to the Demand, but did not send in documentation of completion of required continuing education.

4. Respondent indicated on his 2014 renewal application that he would have completed all required nursing continuing education for the June 1, 2012 - May 31, 2014 licensing cycle by May 31, 2014.

5. Respondent's arrest/conviction history since 1995 includes a conviction in 2002 for simple assault, resulting in a sentence of 30 days suspended confinement and one year probation, along with assessments totaling \$205; an arrest in 2010 on charges of harassment, resulting in a conviction in 2011 of local ordinance violations, and an assessment of \$533 in fine/costs; a conviction of contempt of a court order in 2011; an arrest in 2014 on charges of simple assault, with the charges later dismissed; and an arrest on May 15, 2015 on charges of simple assault, with no disposition as of June of 2015.

CONCLUSIONS OF LAW

Respondent's failure to document completion of required nursing continuing education is deemed to constitute a violation

of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on his 2014 renewal application that he would have completed all required nursing continuing education for the June 1, 2012 - May 31, 2014 licensing cycle by May 31, 2014 is deemed to constitute misrepresentation in violation of N.J.S.A. 45:1-21(b).

Respondent's history of repeated arrests and multiple convictions warrants, pursuant to N.J.S.A. 45:1-22(f), requiring Respondent to undergo a comprehensive mental health and substance abuse evaluation to ascertain whether Respondent's continued practice jeopardizes the safety and welfare of the public.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, civil penalty, and a comprehensive mental health and substance abuse evaluation was entered on August 20, 2015. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified

or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline and maintained that he could not produce documentation of continuing education because it was lost in Hurricane Sandy. Respondent provided documentation of the following continuing education:

0 hours within the June 1, 2012 - May 31, 2014 biennial period;
30 hours within the June 1, 2014 - May 31, 2016 biennial period.

In cases of lost or missing certificates of completion, continuing education providers will readily provide duplicate certificates. Pursuant to N.J.A.C. 13:37-5.3, nurses are required to maintain documentation of completion of continuing education and submit such documentation to the Board upon request. Respondent failed to do so and as such, has failed to demonstrate, to the satisfaction of the Board, that he completed the required continuing education for the June 1, 2012 - May 31, 2014 biennial period. Respondent may apply 30 of the hours recently completed to cure the deficiency of the June 1, 2012 - May 31, 2014 biennial period and avoid suspension of his license. However, those same hours may not also be applied to satisfy the requirements of the current biennial period.

Regarding his arrest history, Respondent expressed a

willingness to enroll in and participate with the Board's designated intervention program, the Recovery and Monitoring Program (RAMP) to undergo evaluation in an effort to maintain his license.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. The Board was not persuaded that the submitted materials merited further consideration. Inasmuch as Respondent cured the deficiency of the previous biennial period, the Board determined that suspension was no longer warranted. As Respondent failed to demonstrate completion of 30 hours of continuing education within the June 1, 2012 - May 31, 2014 biennial period, the civil penalty is still warranted for failing to complete required continuing education within the appropriate time period. Additionally, the reprimand is still warranted for the misrepresentation on his renewal that he had timely completed all required continuing education when he is unable to provide any documentation thereof. Lastly, Respondent's history of repeated arrests and convictions warrants an evaluation to ascertain whether Respondent's continued practice jeopardizes the safety and welfare of the public.

ACCORDINGLY, IT IS on this 29th day of January, 2016,
ORDERED that:

1. A reprimand is hereby imposed upon Respondent for the violation of N.J.S.A. 45:1-21(b).

2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed for Respondent's failure to timely complete nursing continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Continuing education completed after May 31, 2014 and applied to cure the deficiency of a previous biennial period shall not also be used to satisfy the requirements of the current biennial period. Respondent shall complete 30 additional hours of continuing education prior to May 31, 2016 to satisfy the requirements of the current biennial period.

4. Respondent shall undergo a comprehensive mental health and substance abuse evaluation under the auspices of the Board's


designated intervention program, RAMP. Respondent shall contact RAMP at 1-609-883-5335 and enroll in and begin participation with RAMP within 30 days. Failure to undergo evaluation shall be considered violation of a Board Order and may result in the imposition of additional discipline, including suspension of Respondent's license to practice.

5. By undergoing evaluation, Respondent expressly waives any claim of privilege or confidentiality that he may have concerning RAMP reports and disclosures to the Board, and use by the Board of that information in any proceedings.

6. All costs associated with the evaluation, monitoring, and/or treatment outlined above shall be the responsibility of, and paid directly by, Respondent.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APN
Board President